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NOMINATION OF ARNOLD LEWIS RAPHEL

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Mr. PELL, from the Committee on Foreign Relations, submitted the following

REPORT

together with

ADDITIONAL VIEWS

The Committee on Foreign Relations to which was referred the nomination of Arnold Lewis Raphel, to be Ambassador to the Islamic Republic of Pakistan having considered the same, reports favorably thereon and recommends that the nomination be confirmed.

COMMITTEE ACTION

The nomination of Arnold Lewis Raphel to be Ambassador to Pakistan was submitted originally by President Reagan to the Senate on October 15, 1986. On the same day the nomination was referred to the Committee on Foreign Relations. Upon adjournment (October 18, 1986) of the second session of the 99th Congress, the nomination was returned to the President. On January 21, 1987, the President resubmitted the nomination to the Senate and on the same day it was referred to the committee.

The Committee held hearings on the Raphel nomination in open session on February 20, 1987, and in closed session on February 26, 1987. In addition to hearing from the nominee, the committee heard from Senator Gordon Humphrey who testified in the open session in opposition to the nomination.

At its business meeting on February 24, 1987, the committee voted, by a voice vote, to report the Raphel nomination favorably to the Senate.

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COMMITTEE COMMENTS

The committee finds Arnold Lewis Raphel to be exceptionally well-qualified to be our next Ambassador to Pakistan.

Mr. Raphel's professional involvement with Pakistan dates back more than 20 years to his graduate studies. He speaks Urdu, the official language of Pakistan, and has served as the political officer in the American Embassy in Islamabad. Mr. Raphel, therefore, brings to the post of U.S. Ambassador to Pakistan a special knowledge of, and experience in, the country.

Most recently, Mr. Raphel has served as principal Deputy Assistant Secretary for the Near East and South Asia Bureau. In this capacity, he has been involved in the key issues relating to this vital region, including Afghanistan, the Iran-Iraq war, and the Middle East peace process. By all accounts, Mr. Raphel has made a significant contribution through his service in this post.

In the course of Mr. Raphel's conformation hearings, the issue was raised as to whether Mr. Raphel is personally committed to the cause of a free and independent Afghanistan. Having examined the nominee in both open and closed session, the committee concludes that there is no foundation whatsoever to any allegations that Mr. Raphel has been "soft" on the issue of Afghanistan.

The committee notes that there has been some controversy about the Reagan administration's Afghanistan policy Critics have alleged that the administration has been timid about assistance to the freedom fighters and has, in the words of Harvard Prof. Richard Pipes, put the issue "on the back burner." Administration defenders assert that caution is essential lest Pakistani sensibilities be offended.

The Congress, by contrast, is on record endorsing a declared policy of effective assistance to the Afghan freedom fighters. Such a policy was first embodied in a 1983 resolution authored by a former Massachusetts Senator Paul Tsongas and has recently been reaffirmed in this year's Byrd-Dole resolution.

The President and his Secretary of State determine the administration's Afghanistan policy. As principal Deputy Assistant Secretary for the region covering Afghanistan, Mr. Raphel participated in the policy process and was, as noted above, a voice for a forceful Afghanistan policy. Decisions about the policy, including the priority accorded Afghanistan as compared to other issues, are the responsibility of the President. A career foreign service officer, such as Mr. Raphel, may properly be judged on how well he impiements the President's policy, but should not be held accountable for the policy itself.

The post of U.S. Ambassador to Pakistan is one of the most critical and demanding posts in the Foreign Service. Among the duties the next U.S. Ambassador must: (1) Impress upon the Government of Pakistan the need to facilitate effective assistance to the Afghan freedom fighters; (2) promote United States nonproliferation objectives at a time when Pakistan appears to be close to acquiring a nuclear weapon; (3) articulate the United States interest in a transition to a genuine democracy in Pakistan that would permit full political participation by the democratic opposition and which includes respect for the human rights of political dissidents and reli-

gous minorities; and (4) work with the Government of Pakistan to stem the ever-increasing supply of illicit narcotics coming out of that country. Because of his experience and knowledge of Pakistan, the committee believes Arnold Lewis Raphel is particularly well-qualified to undertake this important mission.

ADDITIONAL VIEWS OF SENATOR JESSE HELMS

The selection of an Ambassador of the United States to Pakistan is a matter of grave importance to our national security and to the maintenance of our vital interests in a critical region. As a nation, we cannot afford to send to this important country an Ambassador who is less than fully qualified professionally, or who does not stand foursquare behind the President of the United States.

A number of our distinguished colleagues have raised deep and serious reservations about the qualifications of Ambassador-designate Raphel and his commitment to President Reagan's stand against Soviet aggression and to the President's deep and abiding interest in the freedom of the Afghan nation.

Pakistan, since its independence from British India in 1947, has been an important friend of the United States. Strategically located within the South Asian and Persian Gulf context, Pakistan has come under increasing pressure from the Soviet Union since the brutal subjugation of the Afghan nation in recent years. Pakistan's essential role in facilitating the Afghan freedom fighters' struggle against Soviet imperialism is critical to the balance of power in the region and in the world.

In selecting an Ambassador for this post, the administration must use the following criteria:

(1) Our Ambassador to Pakistan must bend every effort to assist Pakistan in maintaining its sovereign independence in the face of Soviet expansionism.

(2) Because the U.S. Ambassador to Pakistan's responsibilities necessarily include our fundamental policy toward Afghanistan, our Ambassador to Pakistan must bend every effort in order to assist the Afghan freedom fighters in their struggle to liberate their nation.

(3) Our Ambassador to Pakistan must never undercut or betray the Afghan nation by supporting diplomatic negotiations which do not call for the full participation of the Afghan freedom fighters in such negotiations.

(4) Our Ambassador to Pakistan must never support diplomatic negotiations in which the Soviet Union is not compelled to rapid and complete military and administrative withdrawal from Afghanistan.

(5) Our Ambassador to Pakistan must never support diplomatic negotiations which would lead Afghanistan into the satellite status of a Communist Mongolia.

Owing to an unprecedented series of aggressive Indian military maneuvers along the border, tensions with Pakistan have escalated since last November. In spite of continued Indian provocations, President Zia of Pakistan has made every effort in order to calm the tensions between the two countries. It appears that President Zia's recent visit to India and other quiet initiatives are calming

the situation. We must not, however, exclude the potential for tensions to once again mount owing to Indian intransigence. Three wars between these two countries—1948, 1965, and 1971—serve as a stark reminder of the consequences of an escalation of tensions in the region.

Our Ambassador to Pakistan must, therefore, assist in whatever appropriate manner that he can the stability of relations between Pakistan and India. The deep Soviet involvement with India must be taken fully into account by our Ambassador as he seeks to assist Pakistan in defending her sovereign independence.

A number of Senators do not believe that Mr. Raphel is the appropriate diplomat to be posted as our Ambassador to Pakistan. Our distinguished colleague from New Hampshire, Mr. Humphrey; has spoken out forcefully against the appointment of Mr. Raphel. I share his deeply felt concerns. Senator Humphrey has pointed out that Mr. Raphel served as Special Assistant to the Secretary of State when the Carter administration terminated assistance to Pakistan in 1979. This episode seriously eroded Pakistan's defense capabilities and its memory is still vivid in the minds of many Pakistanis. Senator Humphrey has pointed out that Mr. Raphel has never served as an Ambassador to any country before. In contrast, the last three Ambassadors from these United States to Pakistan had served as Ambassadors in other posts.

Senator Humphrey has raised extremely important concerns about Mr. Raphel's performance in his current position as Deputy Assistant Secretary of State and Deputy Head of the Bureau of Near Eastern and South Asian Affairs where American policy toward Afghanistan is made. These concerns center on Mr. Raphel's apparent lack of true commitment to the cause of the Afghan freedom fighters as well as his potential involvement in a direct or indirect manner in the Iran affair. Senator Humphrey has also pointed out that Mr. Raphel has supported an American offer to guarantee a diplomatic settlement in which all aid to the freedom fighters would be cut off on the first day the agreement is implemented even though some 120,000 fully armed Soviet troops would still remain in Afghanistan at that point.

The Senate has twice asked the Department of State to review continued diplomatic relations with the Kabul regime and to determine whether Soviet policies in Afghanistan constitute genocide. Neither review has been conducted and presented to the Senate. Mr. Raphel, in part, bears responsibility for this affront to the Senate and for this disregard of the fundamental oversight function of the Senate in matters of foreign affairs.

In the face of the Department of State's policy of continued extension of most favored nation trading status to the Soviet puppet regime in Kabul, the Congress itself had to take the initiative and to rescind it. Mr. Raphel, in part, bears responsibility for the Department of State's policy recommendations with respect to continued trade relations with the Communist regime in Afghanistan.

For reasons of grave consequence for our national security and vital regional and, indeed, global interests, the selection of Mr. Arnold Raphel as Ambassador to Pakistan is neither desirable nor appropriate. I view this appointment with misgivings. While Mr. Raphel is a pleasant and personable man, I nevertheless share the

concerns of Senator Humphrey and a number of other distinguished colleagues.

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